

# Revisions to the NC Toxic Air Pollutant Rules

Mecklenburg County  
Land Use and Environmental Services Agency  
Air Quality Division

*Helping you breathe easy... for life*  
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# NC State Toxics

- Program established in 1990
- Health-based rules:
  - Facility shall not pose an “unacceptable risk”
  - Allowable exposure (concentration) as determined by the NC Science Advisory Board
- 97 Individual Toxic Air Pollutants (TAPs): Not identical to federal Hazardous Air Pollutants
- Demonstrate compliance with concentration limits at the fence-line: Modeling



# MCAPCO Section 1.5700: Toxic Air Pollutant Procedures

Who is subject?

- 1.5701 – “Applicability”
  - 1.5704 – “New Facilities”
  - 1.5705 – “Existing Facilities and SIC Call”
  - 1.5706 – “Modification”
  - 1.5712 – “Calls By The Director”
- 1.5702 – “Exemptions”
- 1.5703 – “Definitions”
- 1.5711 – “Emission Rates Requiring A Permit”
  - Listing of TAPs
  - Facility-wide TAP emission rates that require permitting for toxics



# MCAPCO Section 2.1100: Control of Toxic Air Pollutants

How do I comply?

- 2.1102 – “Applicability”
- 2.1103 – “Definitions”
- 2.1104 – “Toxic Air Pollutant Guidelines”
  - Allowable concentrations at the fence-line
  - Demonstrate compliance by MCAPCO 1.5709 – “Demonstration”



# Revisions From State Law

- State Session Law - SL 2012-91
  - Became law June 28, 2012
  - Exempt sources subject to EPA's MACT/GACT Rules (unless the source presents an unacceptable risk)
  - Reduce unnecessary regulatory burden
  - Increase efficient use of agency resources
- Revisions to State Toxics Rules effective May 1, 2014



# Significant Changes: Exemptions (MCAPCO 1.5702)

- Sources subject to a federal MACT/GACT rule (i.e. 40 CFR 63)
- Natural gas boilers with an aggregate capacity of 450 million Btu/hr and only source of benzene
- Emergency engines with an aggregate capacity of 4843 HP and only source of formaldehyde



# Significant Changes: Exemptions (MCAPCO 1.5702)

- Exempt sources are not included in an evaluation for toxics:
  - Unless the source presents an unacceptable risk
  - MCAQ would issue a finding requiring compliance (MCAPCO 1.5712 – “Calls By The Director”)



# Significant Changes: Existing Facilities (MCAPCO 1.5705)

- Facilities not making a modification currently trigger toxics by:
  - Last MACT/GACT applicability
  - SIC call
- Rule has been repealed
- Now can be subject by:
  - Making a modification
  - Directors Call





# Significant Changes: TPERs (MCAPCO 1.5711)

- Addition of a second set of TAP Permitting Emission Rates (TPERs):
  - Existing rates based on an obstructed or non-vertical release point
  - New rates are for vertical and unobstructed release points (all sources at the facility):

TAP	Obstructed <u>or</u> Non-Vertical	Vertical <u>and</u> Unobstructed
Formaldehyde	0.04 lbs/hour	0.16 lbs/hour
Benzene	8.1 lbs/year	11.069 lbs/year



# Additional Changes

- Deleted the definition for “unadulterated wood”
- Clarified that an evaluation for toxics applicability should not include sources exempt from toxics



# Revising MCAPCO Regulations

- State TAP rules as amended May 1, 2014, are effective state-wide
- Revisions to county regulations proposed for adoption June 17, 2014



# Questions?

## Contact Information

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# Breakout Sessions

Get your questions answered!

- **Engine Room – 2<sup>nd</sup> floor classroom 2112**
- **Boiler Room – 2<sup>nd</sup> floor classroom 2113**